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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,154	01/20/2004	Grant L. Hutchison	0920.0061C	7744
46157 7590 06/18/2007 EDELL, SHAPIRO, & FINNAN, LLC 1901 RESEARCH BOULEVARD, SUITE 400 ROCKVILLE, MD 20850			EXAMINER BLACK, LINH	
			ART UNIT 2163	PAPER NUMBER
			MAIL DATE 06/18/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/759,154	<b>Applicant(s)</b> HUTCHISON ET AL.	
	<b>Examiner</b> LINH BLACK	<b>Art Unit</b> 2163	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 March 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

This communication is in response to the Applicants' Response dated 3/14/07.

Claims 1-18 are pending in the application. Claims 1, 7, and 13 are independent claims.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-8, 10-14, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maier et al. (5625815), and further in view of Reiner et al. (US 6289334).

As per claims 1, 7, 13, and 5, Maier et al. teach query against a database - col. 3, line 54 to col. 4, line 6; the database includes a plurality of partitions for storing different portions of said database\_table data based on a partitioning schema - col. 2, lines 23-32; col. 3, line 54 to col. 4, line 6; database tables and catalog(s) - fig. 1, items 120, 126; each partition associated with a partition identifier and

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database catalog information indicating data organization in said database – col. 2, lines 29-34; partition identification, partition's names: Old Partition, New Partition – col. 8, lines 15-23 or partition 1 and partition 2 etc...- col. 12, first paragraph; (a) retrieving information within said database catalog information associated with said database table containing said desired data and relating to the partitioning schema – col. 3, line 54 to col. 4, line 6; col. 4, line 61 to col. 5, line 3; (b) analyzing the contents of the query and the retrieved database catalog information to determine the specific partition containing the database table portion with the desired data and identifying a partition identifier associated with the specific partition - col. 3, line 54 to col. 4, line 6. However, Maier et al. do not explicitly teach (c) executing the query against said specific partition, whereby said desired data is retrieved. Reiner et al. teach a database table contained among plural independently accessible partitions – col. 2, lines 53-60; decomposing the queries for matching records in the corresponding table partition – col. 2, last paragraph; col. 9, 2<sup>nd</sup> paragraph; fig. 3B: database 72 with partition 1-3. Reiner et al. also teach an SQL query, a partitioning table, data dictionary, analyzing query – col. 34, lines 43-63. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Maier et al.'s teaching with Reiner et al.'s teaching in order to allow queries against the database be analyzed and forwarded to the appropriate partitions which helps save time and operation costs.

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As per claims 2, 8, and 14, Maier et al. teach storing the retrieved database catalog information in a database catalog cache – fig. 1, items 124-126 and 116-1.

As per claims 4, 10, and 16, Maier et al. do not explicitly teach resolving the partition identifier. Reiner et al. teach a database table contained among plural independently accessible partitions – col. 2, lines 53-60; decomposing the queries for matching records in the corresponding table partition – col. 2, last paragraph; col. 9, 2<sup>nd</sup> paragraph; fig. 3B: database 72 with partition 1-3. Reiner et al. also teach an SQL query, a partitioning table, data dictionary, analyzing query – col. 34, lines 43-63. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Maier et al.'s teaching with Reiner et al.'s teaching in order to allow queries against the database be analyzed and forwarded to the appropriate partitions which helps save time and operation costs.

As per claims 6, 12, and 18, Maier et al. do not explicitly teach forwarding the retrieved data to a client application requesting table data. Reiner et al. teach generate an assembled result representative of a response to said query client application program – claim 1c; fig. 11. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Maier et al.'s teaching with Reiner et al.'s teaching in order to provide query results to the client application program.

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Claims 3, 9, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maier et al. (5625815), in view of Reiner et al. (US 6289334), and further in view of Weinberg et al. (US 20030233347).

As per claims 3, 9, and 15, Maier et al. teach the database catalog in the catalog cache - fig. 1, items 124-126 and 116-1. However, Maier and Reiner do not teach building a subset of the database catalog. Weinberg et al. teach storing and retrieving data in database systems – par. 0046; search the sub-set of catalog data using a first lookup in the sub-tables – par. 0019. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Maier et al.'s teaching with Reiner et al.'s and Weinberg's teachings in order to allow searches/queries to quickly retrieve information from the appropriate partitions.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

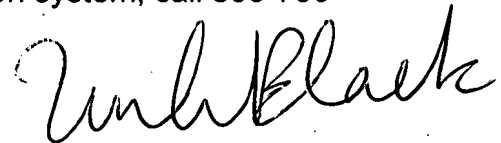
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on Mon.-Thurs..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LINH BLACK  
Examiner  
Art Unit 2163

June 7, 2007